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IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF DELAWARE

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UNITED STATES OF AMERICA, : Criminal Action
Plaintiff, :
v. :
DARRYL CHAMBERS, :
Defendant. : No. 97-105-RRM

- - -

Wilmington, Delaware
November 17, 1998
12:30 p.m.

SEP 2 10 26 AM '99
CLERK, U.S. DISTRICT COURT
DISTRICT OF DELAWARE

FILED

BEFORE: HONORABLE RODERICK R. McKELVIE, U.S.D.C.

APPEARANCES:

ROBERT J. PRETTYMAN, ESQ.
Assistant United States Attorney
Counsel for Government

JOSEPH BENSON, ESQ.
Counsel for Defendant

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1 THE COURT: Mr. Benson and Mr. Prettyman, come on
2 up.

3 MR. PRETTYMAN: Good afternoon, Your Honor.

4 MR. BENSON: Hi, Judge.

5 THE COURT: Actually, if you are ready to
6 proceed, you can just come right up.

7 MR. BENSON: Okay.

8 THE COURT: This is the time set aside for the
9 sentencing of Darryl Chambers, Criminal Action 97-105. I see
10 Mr. Benson, Mr. Chambers, Mr. Prettyman. Do you want to
11 start, Mr. Prettyman? Do you have any comments?

12 MR. PRETTYMAN: Your Honor, the Court is aware
13 and has signed a stipulation that the parties have proffered
14 to the Court for a 17-year sentence of imprisonment. The
15 government would recommend that. The government would note
16 in support of that 17-year recommendation is the weight of
17 the drugs, the time period in which the defendant was dealing
18 the drugs, the fact that he was the leader of the other
19 persons and receiving the proceeds, the substantial proceeds
20 of the drug distribution, and also the fact that he had two
21 prior possession-of-cocaine convictions for which he received
22 probation and violated that probation and yet had the
23 opportunity, a very good opportunity provided to him by the
24 basketball scholarships and did not take advantage of that.

25 I would only echo what his former coach said

1 about what a tremendous waste of potential and talent that we
2 have in front of us.

3 So the government would recommend a 17-year
4 sentence of imprisonment. I also have a motion and order to
5 dismiss Count Two of the indictment, pursuant to the
6 memorandum of plea agreement. I would like to hand it to the
7 Court. Mr. Benson has a copy.

8 THE COURT: Mr. Benson and Mr. Chambers.

9 MR. BENSON: Your Honor, I think Mr. Chambers
10 would like to just say a word or two on his behalf. I think
11 Your Honor has agreed to the sentence. I don't know that I
12 have to waste time. The only thing I would ask is for some
13 direction from the Court -- I know it is not binding. But I
14 wrote Your Honor months and months ago asking would you
15 consider please suggesting, for want of a stronger word, that
16 Mr. Chambers be allowed to serve his sentence at Fairton.

17 THE COURT: I am happy to do that. As you
18 know --

19 MR. BENSON: Mr. Chambers knows. At least that
20 might create some guidance for the Marshal's Office or the
21 prisons or whatever it is.

22 THE COURT: Did you want to say something?

23 THE DEFENDANT: Good afternoon, Your Honor.

24 First I would like to take this time to apologize
25 to the family, to the Bullock family, Faye Bullock, her two

1 children, Carol and Caitlin, Ms. Crawford, Nanette Crawford
2 and her two children, Taheem and Deamanti (phonetic).

3 I would also like to thank my family and
4 apologize to my family for the pain and suffering I have put
5 them through and I would like to thank them for their
6 support.

7 Your Honor, I would like to apologize to my
8 community for being a negative influence, when I had a chance
9 to really take the community in a positive direction. And I
10 would like to thank Your Honor for just giving me time to say
11 what I have to say. Thank you.

12 THE COURT: I see some people in the courtroom
13 who are here, perhaps friends and family.

14 THE DEFENDANT: Yes.

15 THE COURT: All right. We have a Total Offense
16 Level of 35, a Criminal History Category of II, an
17 Imprisonment Range of 188 to 235 months, supervised release
18 range of five years, a fine range of 20,000 to 4 million. I
19 am going to be waiving the fine. And I will be sentencing
20 within the Guideline range. Actually, I will be sentencing
21 to the stipulated time period of 17 years.

22 So I adopt the factual findings and Guideline
23 application.

24 I am not sure whether we need to advise Mr.
25 Chambers of his right to take an appeal. I think, out of an

1 abundance of caution, that if he has any rights, he needs to
2 exercise them I guess within ten days.

3 I wish you peace in prison. I hope you find
4 peace and happiness and come back into society.

5 MR. PRETTYMAN: Thank you, Your Honor.

6 THE COURT: I will sign the motion dismissing.

7 MR. BENSON: Do you have to put on the record
8 about direction, or is that automatic?

9 THE COURT: I think what I said is sufficient.

10 MR. BENSON: About Fairton.

11 THE COURT: It will be in the presentence -- it
12 will be in the order that I enter recommending he go there.

13 MR. PRETTYMAN: Your Honor, it might be a good
14 idea to confirm that the defendant read the presentence
15 report and has no objections, given the lengthy sentence.

16 THE COURT: Do you agree with that, Mr. Benson?

17 THE DEFENDANT: Yes.

18 MR. BENSON: Yes, Your Honor.

19 (Hearing concluded at 12:40 p.m.)

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21 Reporter: Kevin Maurer

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I hereby certify that the foregoing is a true
and accurate transcript from my stenographic
notes in the proceeding.
Kevin J. Maurer
Official Court Reporter
U. S. District Court